

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of FORSSMANN, et al.

371 No. PCT/EP98/08405, Filed 22 December 1998

U.S. Ser. No. 09/582,107

Filed June 22, 2000

For: Insulin like Growth Factor Binding Protein Fragments and the Utilization Thereof

DECLARATION IN SUPPORT OF
RENEWED PETITION UNDER 37 CFR 1.47(a)

Commissioner of Patents
Washington, D.C. 20231

Sir:

The undersigned attorney of record does hereby declare and state that:

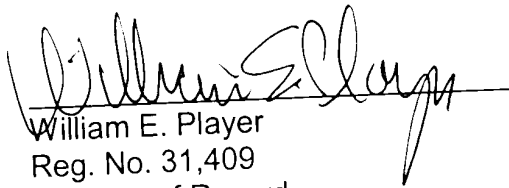
1. As demonstrated by the Declaration Under 37 CFR 1.47 of Prof. Dr. K.-D. Döhler (a true copy of which is attached, hereto) (the "Döhler Declaration"), included with the Petition Under 37 CFR § 1.47(a) filed in the PTO on January 11, 2001, a bona fide attempt was made to present U.S. national stage filing papers, including Declaration and Power of Attorney, identifying the instant application by its PCT application number and filing date, by sending said filing papers via registered mail, to co-inventor Hossein Mostafavi at his last known address, accompanied by a letter of instruction (Döhler Declaration, Exhibit A), which letter and papers were returned by the German Post in their original envelope of mailing, marked addressee unknown (Döhler Declaration, Exhibit B).

2. In accordance with the Decision on Petition mailed May 7, 2001, by the PTO, page 3, "alternative means were employed, such as a search of telephone and/or Internet directories, in an attempt to locate Mr. Mostafavi," as shown in the true copies of the online printouts of search results (Annexes A, B, C, and D) attached, hereto, as received by the undersigned from Applicants' European patent agents.

The undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application of any patent issuing thereof.

Further declarant sayeth naught.

7 November 2001
Date


William E. Player
Reg. No. 31,409
Attorney of Record